

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CALVIN TIMBERLAKE, et al.,)	Civil No.08cv598-L(NLS)
)	
Plaintiffs,)	ORDER SETTING BRIEFING
v.)	SCHEDULE & HEARING DATE ON
)	DEFENDANT'S MOTIONS TO QUASH
SYNTHES SPINE COMPANY, L.P.,)	
)	[Doc. Nos. 1 & 2]
Defendant.)	
)	
)	

Before the Court in the above-captioned matter are Defendant Synthes Spine Company's Motions to Quash, or in the alternative, Stay Plaintiffs' Third Party Subpoenas on Drs. Timothy A. Peppers and Raymond J. Linovitz and Core Orthopedic Medical Center [Doc. Nos. 1 & 2]. These motions involve subpoenas duces tecum issued by this Court, served by Plaintiff on the individual physicians and medical center, located in Encinitas, California. Defendant seeks a Court order quashing the subpoenas pursuant to Federal Rule of Civil Procedure 45(c)(3)(A); in the alternative, Defendant requests that the subpoenas be stayed pursuant to the entry of a protective order in the parent Southern District of Texas civil case.

Accordingly, the Court hereby **ORDERS** the following briefing schedule on the motions:


1. Plaintiffs shall file an opposition to these motions on or before April 22, 2008.
2. Defendant shall file a reply, if any, on or before April 29, 2008.
3. The motions shall be set for hearing before the Court on May 6, 2008.

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1 Unless otherwise ordered by the Court, no appearances shall be required on that date and the
2 motions shall be submitted on the papers and without oral argument pursuant to Local Civil Rule 7.1(d).

3 **IT IS SO ORDERED.**

4 DATED: April 10, 2008

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6 Hon. Nita L. Stormes
7 U.S. Magistrate Judge
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